REMARKS

Reconsideration and withdrawal of the final rejection with respect to Claims 22, 23, 25-32, 24-39, and 54-63 is respectfully requested in view of the foregoing amendments and the following remarks.

Applicant notes with appreciation the Examiner's withdrawal of the previous grounds of rejection except for the 112 objection to Claim 54. Claim 54 has been amended to delete reference to the phrase "specifically adapted" so as to resolve this ground of objection.

Moreover, by this Amendment, the independent claims have been amended to specifically define a method and apparatus for use in the petroleum industry wherein the fitting flange is configured to directly contact the chamber wall so as to enable a substantially fluid type seal between the wall and the flange by causing the wall and the flange to fuse together. As will be discussed in further detail hereinafter it is respectfully submitted that the claims, as now amended, are patentably distinguishable over the references of record relied upon by the Examiner in the final rejection.

More particularly, with respect to the rejection of the claims as being obvious over Rowe in view of Evans, the Examiner maintains that it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Evans' teaching of the use of thermoplastic materials into Rowe's system. However, in practice, the exact opposite is the case. As noted in Rowe, column 1, lines 47 to 55 inclusive, Rowe clearly states that various techniques have been used to seal

around pipes passing through the wall of a manhole. Rowe goes onto state, quite clearly, that:

> *"rigidly welding the fuel line or entrance fitting to the chamber wall is not an ideal arrangement since ground shifting often occurs which could rupture the weld or pipe". [Emphasis added]*

Thus, Rowe clearly set out in the preamble a widely held preconception in the trade at that time that, by drilling or otherwise forming a hole in the chamber wall, the structural integrity of the chamber is substantially weakened. As a result, any ground shifting or shifting of the pipe would result in a rupture of the chamber wall.

Thus, Rowe teaches specifically and directly away from Evans. Rowe teaches that the application of electrofusion technology in the context of a pipe to wall coupling is a bad thing and will result, over time, in the rupture of the chamber wall. Therefore, not only is there no direction or perceived advantage in Rowe of incorporating the technology described by Evans, there is a specific and unambiguous direction not to du such a thing.

In summary, Rowe teaches that some gasket or other deformable seal should be present between a chamber wall fitting and a chamber. As well as providing a fluid tight seal, this seal allows for some distortion of the fitting in the event of misalignment or movement after installation.

It was a commonly held view that by forming a hole, or most likely a plurality of holes in a chamber wall, the chamber structure becomes so weakened that it

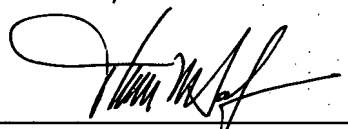
becomes particularly prone to rupture if placed under stress. The inventors of the present application have observed that by fixing directly over each aperture, using electrofusion welding, a flange with a tubular sleeve extending from it, the resultant chamber has greater strength, and greater resistance to rupturing than the original chamber. This finding is quite contrary to perceived wisdom and the commonly held view at the time the present invention was conceived. Experimental results can be provided to support the above if the Examiner deems this necessary.

With regards to the lack of inventive step arguments based on Gavin in view of Evans, Applicants would respectfully point out that Gavin has identified and is aware of exactly the same problem in relation to the damage caused by shifting of the various components that was identified by Rowe. (See Gavin, column 1, lines 33 to 43). It is clear from Gavin that any seal or sealing member is going to have to accommodate some spatial shifting overtime between the pipe and the chamber body. To this end, Gavin provides a flexible frustoconical-shaped wiper blade member which extends inwardly from one end of the cylindrical outer wall and which forms a pipe-receiving opening of pre-determined size through the blade member. That is to say, Gavin specifies that any seal between the pipe passing through the fitting and the fitting itself must take place within the body of the tubular sleeve. It is clear in the context of the present invention that any such arrangement would be unworkable and this, together with the widely held view that to directly couple such a fitting to a chamber wall was fraught with dangers would preclude anyone from combining this technology with Evans.

In view of the foregoing, it is respectfully submitted that the claims, as amended, are patentably distinguishable over the new combination of references relied upon by the Examiner. Accordingly, reconsideration and withdrawal of the rejection and allowance of the claims at an early date are earnestly solicited.

Respectfully submitted,

WRIGHT, ET AL.



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